

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY TOKYO

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E.O. 11652:N/A

TAGS: EGEN, JA

SUBJECT: JUSTICE DEPARTMENT PROPOSALS TO JAPAN FTC ON ANTI-
TRUST COOPERATION

REF: TOKYO 10769

1. DEPARTMENT OF JUSTICE OFFICIALS PARTICIPATING IN WORK
OF OECD COMMITTEE OF EXPERTS ON RESTRICTIVE BUSINESS
PRACTICES HAVE BEEN IN TOUCH WITH COUNTERPARTS IN EC
COUNTRIES AND JAPAN DURING THE PAST YEAR TO EXPLORE POSSI-
BILITY OF INTERGOVERNMENTAL ANTI-TRUST COOPERATION.
COOPERATION OF THIS NATURE WAS STRONGLY ENDORSED IN
SECRETARY'S SPEECH AT OECD MINISTERIAL JUNE 21 WHICH PRO-
POSED A DUAL EFFORT "TO REDUCE INTERNATIONAL PROCEDURAL
OBSTACLES TO THE ENFORCEMENT OF LAWS AGAINST INTERNATIONAL
RESTRICTIVE BUSINESS PRACTICES AND TO PURSUE BILATERAL AND
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MULTILATERAL AGREEMENTS FOR INTERNATIONAL ANTI-TRUST CO-

OPERATION SIMILAR TO THAT ABOUT TO BE CONCLUDED BETWEEN THE UNITED STATES AND THE FEDERAL REPUBLIC OF GERMANY." US-FRG GENERAL AGREEMENT ON ANTI-TRUST COOPERATION AND ENFORCEMENT WAS SIGNED JUNE 23.

2. WITH RESPECT TO JAPAN, JUSTICE EXPERTS HAVE BEEN IN VERY INFORMAL CONTACT WITH JAPAN FTC REPRESENTATIVES IN CONNECTION WITH WORK OF OECD COMMITTEE. THEY HAVE PROVIDED JAPANESE WITH COPY OF US-FRG AGREEMENT, SUGGESTING THAT GOJ MIGHT CONSIDER IT AS MODEL FOR POSSIBLE US-JAPAN BILATERAL ACCORD. US EXPERTS ARE NOW AWAITING GOJ RESPONSE TO THIS INFORMAL APPROACH.

3. COPY OF US-FRG AGREEMENT IS BEING POUCHED. WE WILL KEEP YOU INFORMED OF STATUS OF THIS MATTER. NO ACTION BY EMBASSY IS REQUIRED AT THIS TIME. KISSINGER

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